

U.S.A. vs

Abraham Rafael Ochoa- Preciado

No. 08CR0951-JAH

The Court finds excludable delay, under the section indicated by check (), commenced on 04-22-08 and ended on 07-21-08.3161(h)

- (1) (A) Exam or hrg for **mental or physical incapacity** (18:4244)
- (1) (B) **NARA** examination (28:2902)
- (1) (D) State or Federal trials or **other charges pending**
- (1) (E) **Interlocutory appeals**
- (1) (F) **Pretrial motions** (from flg to hrg or other prompt dispo)
- (1) (G) **Transfers from other districts** (per FRCrP 20, 21 & 40)
- (1) (J) **Proceedings under advisement** not to exceed thirty days
- Misc proc: Parole or prob rev, deportation, **extradition**
- (1) (H) **Transportation** from another district or to/from examination or hospitalization in ten days or less 6
- (1) (I) Consideration by Court of **proposed plea agreement** 7
- (2) **Prosecution deferred** by mutual agreement I
- (3) (A) (B) **Unavailability of defendant or essential witness** M
- (4) Period of **mental or physical incompetence** of defendant to stand trial N
- (5) Period of **NARA commitment or treatment** O
- (6) **Superseding indictment and/or new charges** P
- (7) **Defendant awaiting trial of co-defendant** when no severance has been granted R
- (8) (A) (B) **Continuances** granted per (h) (8)-use "T" alone if more than one of the reasons below are given in support of continuance T
- (8) (B) (i) 1) Failure to grant a **continuance** in the proceeding would result in a **m miscarriage of justice** and the ends of justice outweigh the best interest of the public and the defendant in a speedy trial. T1
 - 2) Failure to grant a **continuance** of the trial would result in a miscarriage of justice as the **defendant has tendered a guilty plea** to a magistrate judge and is awaiting a determination as to whether the plea will be accepted.
- (8) (B) (ii) 2) **Case unusual or complex** T2
- (8) (B) (iii) 3) **Indictment** following arrest **cannot be filed** in thirty (30) days T3
- (8) (B) (iv) 4) **Continuance** granted in order to obtain or **substitute counsel**, or give reasonable time to prepare T4
- 3161(I) Time up to **withdrawal of guilty plea** U
- 3161(b) **Grand jury indictment time extended** thirty (30) more days W

Date 04-22-08

 Judge's Initials